

REMARKS / ARGUMENTS

The present application includes pending claims 1-31, all of which have been rejected. Claims 1, 11, and 21 have been amended. The Applicant respectfully submits that the claims define patentable subject matter.

Claims 1-31 stand rejected under 35 U.S.C. § 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,553,100 ("Chen"). The Applicant respectfully traverses these rejections at least based on the following remarks.

I. Chen Does Not Anticipate Claims 1-31

The Applicant now turns to the rejection of claims 1-31 under 35 U.S.C. 102(e) as being anticipated by Chen. With regard to the anticipation rejections under 102, MPEP 2131 states that "[a] claim is anticipated only if **each and every element** as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." See Manual of Patent Examining Procedure (MPEP) at 2131 (internal citation omitted). Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the ... claim." See *id.* (internal citation omitted).

Without conceding that Chen qualifies as prior art under 35 U.S.C. 102(e), the Applicant respectfully traverses this rejection as follows.

A. Rejection of Independent Claims 1, 11, and 21

With regard to the rejection of independent claim 1 under 35 U.S.C. § 102(e), the Applicant submits that Chen does not disclose or suggest at least the limitation of "automatically routing said generated message to a location that is remote from said first geographic location, based on a prior authorization level of the first device established by a user command, wherein said routing is performed independently of a user location and prior to communicating said generated message to any device within said first geographic location," as recited by the Applicant in independent claim 1.

The Final Office Action states the following:

With respect to Claim 1, the claimed "receiving, at a first geographic location, an alert from a first device coupled to the communication network" is met by Chen et al. that teach the use of an intelligent processor (100) in receiving an alert from alarm event detectors (510,520) via a network (200) at a 1st geographic location, i.e. a subscribers' home (Abstract; Fig. 1&5; col. 1, lines 17-19; col. 1, lines 54-55; col.2, lines 27-32; col.5, lines 51-54; &col.9, lines 47-48). The claimed "generating within a home; a message corresponding to said received alert;" is met by Chen et al. that teach the generation & transmittal by an intelligent processor (100), located on-premise. (Fig.5; col. 1, lines 61-67; Col. 2 lines 42-46, col.6, lines 40-48; col.8, lines 46-53; &col.9, lines 54-57).

The claimed "automatically routing said generated message to a location that is remote (i.e. relative's house across country) from said first geographic location (user's home), **based on a prior authorization level established by a user command (i.e. user updating profile to route alerts to relative's house)**, wherein said routing is performed prior to communicating said generated message to any device within said first geographic location (i.e. user updating profile will route the alert to the relative's house instead of on-premise devices)." (col. 4, lines 51-67).

See the Final Office Action at pages 3-4 (emphasis added). Chen discloses an intelligent alerting system that receives a notification and alerts end-users via one or more devices (on-premises or off-premises devices, based on the user location). Chen's system also includes a processor (100 in FIG. 1) that determines whether any of these devices are active for purposes of communicating the alert. See Chen at col. 1, lines 17-29. Referring to FIGS. 2-3 of Chen, the Applicant points out that the processor 100 uses an alert destination determination device 170, which determines whether or not to transmit the alert to an on-premise or off-premise device. The alert destination determination device 170 may use **profiles** that indicate where the user can be reached by a given device. See *id.* at col. 7, lines 57-65.

More specifically, Chen discloses that the alert destination determination device 170 uses profile database 174 to store one or more user profiles that indicate where and when the end-user may be reached by a given device. See *id.* at col. 7, line 61 – col. 8, line 6. In this regard, **the profile database 174 is set up based on the specific location of the user at any given time (where and when the user can be reached).** Chen does not disclose any routing of a generated message (notification) **based on a prior authorization level of the first device established by a user command.** In fact, **Chen does not disclose any establishing of authorization levels for a given device, or that the notification routing is in any way influenced or based on any user commands.** The Applicant notes that **Chen's user profile used with regard to device 170 simply stores pre-determined user locations and it has nothing to do**

with setting up authorization levels established by a user command. Furthermore, as explained above, Chen's alert routing is performed based on the location of the user and, therefore, it is not performed independently of a user location, as recited in Applicant's claim 1.

Therefore, the Applicant maintains that Chen does not disclose or suggest at least the limitation of "automatically routing said generated message to a location that is remote from said first geographic location, based on a prior authorization level of the first device established by a user command, wherein said routing is performed independently of a user location and prior to communicating said generated message to any device within said first geographic location," as recited by the Applicant in independent claim 1.

Accordingly, independent claim 1 is not anticipated by Chen and is allowable. Independent claims 11 and 21 are similar in many respects to the method disclosed in independent claim 1. Therefore, the Applicant submits that independent claims 11 and 21 are also allowable over the reference cited in the Office Action at least for the reasons stated above with regard to claim 1.

B. Rejection of Dependent Claims 2-10, 12-20, and 22-31

Based on at least the foregoing, the Applicant believes the rejection of independent claims 1, 11, and 21 under 35 U.S.C. § 35 U.S.C. § 102(e) has been overcome and requests that the rejection be withdrawn. Additionally, claims 2-10, 12-

20, and 22-31 depend from independent claims 1, 11, and 21, respectively, and are, consequently, also respectfully submitted to be allowable.

The Applicant also reserves the right to argue additional reasons beyond those set forth above to support the allowability of claims 2-10, 12-20, and 22-31.

In general, the Final Office Action makes various statements regarding claims 1-31 and the cited references that are now moot in light of the above. Thus, the Applicant will not address such statements at the present time. However, the Applicant expressly reserves the right to challenge such statements in the future should the need arise (e.g., if such statement should become relevant by appearing in a rejection of any current or future claim).

CONCLUSION

Based on at least the foregoing, the Applicant believes that all claims 1-31 are in condition for allowance. If the Examiner disagrees, the Applicant respectfully requests a telephone interview, and requests that the Examiner telephone the undersigned Attorney at (312) 775-8176.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to the deposit account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

A Notice of Allowability is courteously solicited.

Respectfully submitted,

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